

Exhibit A – Exhibits From Plaintiffs’ Submission To Seal

Exhibit	Reason Covered by Protective Order	Proposed Action
Ex. C	<p>This exhibit, which Facebook marked as “Highly Confidential – Attorneys’ Eyes Only” under the Protective Order, is a Facebook presentation that discusses Facebook’s business strategy, analyzes Facebook competitors, and discusses internal workplans. It also includes analysis of potential business decisions. The presentation thus contains highly sensitive information.</p> <p>Public disclosure of this information would give competitors insight into Facebook’s strategy and cause Facebook to suffer harm. <i>See</i> Kutscher Decl. ¶ 10.</p>	<p>Fully redact the exhibit.</p> <p>The harm from public disclosure could not be avoided by less restrictive means.</p>
Ex. D	<p>This exhibit is excerpts from Pricewaterhouse Coppers’ (“PwC”) Initial Assessment Report for the period of August 15, 2012 to February 11, 2013.</p> <p>In view of the report’s confidentiality, the FTC released a version of the report in redacted form, which redacts the precise excerpts that Plaintiffs attach here.¹ The portions of the report that the FTC redacted and that Facebook asks the Court to redact here describe a specific Facebook privacy control. Public disclosure of this control would harm Facebook because it would enable Facebook’s competitors to access proprietary information about Facebook’s internal privacy tools. <i>See</i> Kutscher Decl. ¶ 11.</p>	<p>Redact highly confidential portions of report not publicly available.</p> <p>Facebook made these redactions in Exhibit 2 to the Kutscher Declaration.</p> <p>These limited redactions are the least restrictive means of avoiding public disclosure of highly confidential information.</p>
Ex. F	<p>This exhibit is excerpts from PwC’s Biennial Report for the period of February 12, 2015 to February 11, 2017.</p> <p>In view of the report’s confidentiality, the FTC also released a version of this report in redacted form, which redacts the precise excerpts that Plaintiffs attach here.² The portions of the report that the FTC redacted and that Facebook asks the Court to redact here describe highly sensitive information about Facebook’s acquisitions. Publicly</p>	<p>Redact highly confidential portions of report not publicly available.</p> <p>Facebook made these redactions in Exhibit 2 to the Kutscher Declaration.</p>

¹ <https://epic.org/foia/ftc/facebook/EPIC-18-03-20-FTC-FOIA-20180626-FB-Assessment-2013.pdf>.

² <https://epic.org/foia/ftc/facebook/EPIC-18-03-20-FTC-FOIA-20180418-FB-Assessment-2017.pdf>.

	disclosing this information would cause Facebook to suffer competitive harm by revealing information about its acquisition strategy. <i>See</i> Kutscher Decl. ¶ 12.	These limited redactions are the least restrictive means of avoiding public disclosure of highly confidential information.
Ex. H	<p>This exhibit, which PwC has designated as “Confidential,” is a document discussing Facebook controls designed to prevent data misuse.³ The document also lists request from PwC in connection with its audits of Facebook.</p> <p>This document contains highly sensitive information about Facebook’s controls, Facebook’s relationship with PwC, and confidential actions taken under Facebook’s 2012 consent order with the FTC.</p> <p>Public disclosure of this information could cause Facebook to suffer competitive harm, and it may help third parties circumvent Facebook’s controls. <i>See</i> Kutscher Decl. ¶ 13.</p>	<p>Fully redact the exhibit.</p> <p>The harm from public disclosure could not be avoided by less restrictive means.</p>
Ex. I	<p>This exhibit, which PwC has designated as “Confidential,” is a document that details Facebook’s highly confidential approach to testing internal privacy controls.⁴ The document details Facebook’s highly confidential approach to testing the control, as well as the confidential criteria for when exceptions are noted.</p> <p>Public disclosure of this information would reveal confidential information about Facebook’s controls, Facebook’s relationship with PwC, and confidential actions taken under Facebook’s 2012 consent order with the FTC.</p> <p>Public disclosure of this information could cause Facebook to suffer competitive harm, and it may help third parties circumvent Facebook’s controls. <i>See</i> Kutscher Decl. ¶ 14.</p>	<p>Fully redact the exhibit.</p> <p>The harm from public disclosure could not be avoided by less restrictive means.</p>
Ex. J	This exhibit, which Facebook marked this document as “Confidential” under the	Fully redact the exhibit.

³ Although Exhibit H was produced by PwC, the document contains highly sensitive information PwC received directly from Facebook. As a result, Facebook is best positioned to demonstrate why this document should be sealed.

⁴ Although Exhibit I was produced by PwC, the document contains highly sensitive information PwC received directly from Facebook. As a result, Facebook is best positioned to demonstrate why this document should be sealed.

	<p>Protective Order, is an internal discussion between two Facebook employees about Facebook’s confidential enforcement efforts.</p> <p>Public disclosure of this information would harm Facebook because, if details regarding how Facebook’s efforts to prohibit data misuse are made public, third parties may use this information in future attempts to misuse data. <i>See</i> Kutscher Decl. ¶ 15.</p>	<p>The harm from public disclosure could not be avoided by less restrictive means.</p>
Ex. L	<p>This exhibit, which Facebook marked as “Highly Confidential – Attorneys’ Eyes Only,” is an email that contains detailed discussion of Facebook’s business relationships with third parties, including certain financial aspects of those relationships.</p> <p>Public disclosure of Exhibit L would cause Facebook to suffer competitive harm by revealing financial aspects of Facebook’s relationship with third parties. <i>See</i> Kutscher Decl. ¶ 16.</p>	<p>Fully redact the exhibit.</p> <p>The harm from public disclosure could not be avoided by less restrictive means.</p>
Ex. M	<p>This exhibit, which Facebook has designated as “Confidential,” discusses highly confidential information regarding permissions and the architecture of the Facebook Platform.</p> <p>Public disclosure of Exhibit M would cause Facebook to suffer competitive harm by revealing to Facebook competitors confidential aspects of the Facebook Platform. <i>See</i> Kutscher Decl. ¶ 17.</p>	<p>Fully redact the exhibit.</p> <p>The harm from public disclosure could not be avoided by less restrictive means.</p>
Ex. N	<p>This exhibit, which Facebook marked as “Confidential,” discusses Facebook’s relationship with certain business partners, including those partners’ access to certain data. This information is highly confidential.</p> <p>Public disclosure of Exhibit N would cause Facebook to suffer competitive harm by revealing sensitive aspects of Facebook’s relationships with certain third parties. <i>See</i> Kutscher Decl. ¶ 18.</p>	<p>Fully redact the exhibit.</p> <p>The harm from public disclosure could not be avoided by less restrictive means.</p>
Ex. O	<p>Exhibit O, which Facebook has designated as “Confidential,” discusses commercially sensitive information about Facebook’s relationship with a third party, that third</p>	<p>Fully redact the exhibit.</p>

	<p>party's use of specific permissions, and the actions Facebook considered taking in response.</p> <p>Public disclosure of Exhibit O would cause Facebook to suffer competitive harm by revealing sensitive aspects of Facebook's relationships with a third party. <i>See</i> Kutscher Decl. ¶ 19.</p>	<p>The harm from public disclosure could not be avoided by less restrictive means</p>
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